

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Albert Russo PO Box 4853 Trenton, NJ 08650 (609) 587-6888 Standing Chapter 13 Trustee	
In re: Karine G Peterside Debtor(s)	Case No. 23-13870 / CMG Hearing Date: August 16, 2023 10:00 am Judge: Christine M. Gravelle Chapter: 13

TRUSTEE'S OBJECTION TO DEBTOR(S) CHAPTER 13 PLAN and
TRUSTEE'S OBJECTION TO DEBTOR(S) CLAIM OF EXEMPTIONS

Albert Russo, Standing Chapter 13 Trustee, objects to the Debtor(s) Plan for the following reason(s):

The debtor has undertaken an improper use of exemption. Specifically: Sched C over-exempts d(5) by \$1,475 based upon the full d(1) exemption taken.

The debtor(s) plan consists of unnecessary or excessive expense items, such as: Utilities and car payment (100% Plan).

The debtor(s) is not paying all disposable income into the plan pursuant to either Schedules I & J or Form 22C based upon the Trustee's review of the income and tax returns provided. The Trustee's calculations are higher for the following reason(s): 22c has disposable income \$24,815.67 (100% Plan).

The Schedules fail to account for the debtor(s) tax refund in the amount of \$355 when determining disposable income.

The Plan provides for payment on unsecured claims of less than that which would be distributed upon liquidation under Chapter 7, as prohibited by 11 U.S.C. § 1325(a)(4): There is non-exempt equity in real property estimated at \$219,665.24 (pending all claims), 2014 Mercedes has \$45,550, Bank of America ckg accts#3971 has \$4,871.34 and acct#2408 has \$5.93 and Bank of America savings acct #4134 has \$37.32 (100% Plan).

- Arrears claim filed by JPMorgan Chase \$1,561.84.
- Must resolve IRS estimated tax claim.
- Must file Pre-confirmation certificate.

WHEREFORE, Standing Chapter 13 Trustee, Albert Russo, objects to confirmation of the plan.

/s/ Albert Russo

Albert Russo

Standing Chapter 13 Trustee

by: David Martin, Staff Attorney